

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 24, 2000
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins
Linda Steinman
Bernie Heier
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
FEBRUARY 17, 2000 AND TUESDAY, FEBRUARY 22, 2000**

Campbell requested that Item 6, Receptionist Position, Paragraph 3, on Page 8 of the Staff Meeting minutes dated February 17th, be amended to state that the position will remain for the time being with the District Court, at the request of the District Court Judges.

MOTION: Heier moved and Steinman seconded approval of the Staff Meeting minutes dated February 17, with the noted correction, and the Staff Meeting minutes dated February 22, 2000. Heier, Workman, Steinman and Hudkins voted aye. Campbell abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Economic Development Program
- b. Urbanization of Rural Landscapes Seminar

MOTION: Steinman moved and Workman seconded approval of the additions to the agenda. Steinman, Workman, Hudkins, Heier and Campbell voted aye. Motion carried.

3 DISCUSSION OF BOARD MEMBER MEETINGS

No reports were given.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- The Revenue Committee has given LB 1138, which changes provisions relating to state aid to political subdivisions, priority status. Senator Wickersham has filed an amendment to the formula that deletes language dealing with poverty in the county distribution and strengthens the population factor. It is uncertain whether this change will make up the \$800,000 loss projected for Lancaster County under the current formula.

The Board asked Dave Kroeker, Budget & Fiscal Officer, and Kissel to meet with members of the Lancaster County delegation regarding the bill and to emphasize that the State will cause an increase in property taxes in Lancaster County unless there is an adjustment of formula. Board members will follow up with contacts, once the fiscal effect of the amendment is known.

- Governor Johanns has agreed to support the transfer of the Nebraska Correctional Youth Facility from the control of the State Department of Correctional Services to the Office of Juvenile Services (OJS) in LB 652, provided there is a 6 month delay. The Department of Health and Human Services (HHS) fiscal note will be pared down from the \$6 million estimate.

Steinman said she has not had a chance to speak to Juvenile Court Judge Tom Dawson regarding his concerns. She asked whether Senator Thompson would consider an amendment that would allow juvenile court judges to make a determination of placement when transferring youth to OJS.

Kissel said Senator Thompson is not interested in further amendment of the bill.

- Senator Raikes is concerned with the cost estimates and income projections for LB 1190, which changes county agricultural society tax levy provisions. He will meet with Senator Hudkins and members of the Lancaster County Agricultural Society to discuss the bill.

ADDITIONS TO THE AGENDA

a. Economic Development Program

Heier requested an accounting of steps taken to collect funds due to the County.

The Board asked that Troy Gagner, Economic Development Coordinator, be scheduled on the next County Board Staff Meeting agenda.

b. Urbanization of Rural Landscapes Seminar

Workman said Board members can audit an *Urbanization of Rural Landscapes Seminar* that will be held during the spring semester at the University of Nebraska. He noted that he plans to attend and will report back to the Board.

5 QUARTERLY REPORT OF THE VISITORS PROMOTION COMMITTEE AND CONVENTION & VISITORS BUREAU - Mark Essman, Lincoln Convention & Visitors Bureau Director; Paul McCue, Chamber of Commerce President

Mark Essman, Lincoln Convention & Visitors Bureau Director, reported that the Convention & Visitors Bureau:

- Held a Hospitality Retreat
- Updated the Internet webpage
- Completed a new *Visitors Guide*
- Attended a Religious Conference Managers Association (RCMA) conference and will work to bring religious group events to Lincoln

He noted that he is also working the Lincoln Police Department to determine a parade route for the Americruise event.

The Board viewed the video *Lincoln - A Place to Call Home*.

6 JUVENILE COURT MID-YEAR BUDGET REVIEW - Juvenile Court Judge Tom Dawson; Juvenile Court Judge Toni Thorson; Juvenile Court Judge Linda Porter; Lesli Lee, Juvenile Court Bailiff; Dennis Keefe, Public Defender; Dave Kroeker, Budget and Fiscal Officer; Mark Martin Protection & Safety Division Administrator for the Office of Juvenile Services and Roxie Cillessen, Protection & Safety Administrator for the Office of Juvenile Services

Campbell said the Board reviewed the Juvenile Court budget at the Mid-Year Budget Review and is concerned with the projected \$400,000 shortfall.

Boarding Contracts

Dave Kroeker, Budget and Fiscal Officer, distributed a letter from Juvenile Court Judge Tom Dawson detailing budget projections; *Lancaster County Boarding Contracts, Juvenile Court, FY86 to FY99 Actual Net Cost, FY00 Projected Based on July & August Days & Costs and Juvenile Court Legal Services by Month - Private Attorney Costs, Fiscal Years 98-99-2000* (Exhibit C).

Juvenile Court Judge Tom Dawson provided an update of projected budget shortfalls, based on a seven month history:

- Legal Services - \$137,000
- Boarding Contracts - \$251,000
- Civil Fees - \$6,000
- Telephone (Local) - \$3,000
- Office Supplies - \$8,500

Judge Dawson said a total budget shortfall of \$339,000 is projected for the Juvenile Court. He added that the judges have made a concerted effort to move youth up in the hearing schedule in an effort to reduce boarding contract costs.

Campbell said there had been an indication that Office of Juvenile Services (OJS) placements were slower than anticipated.

Judge Dawson said the impact is reflected in the Attention Center budget, rather than that of Juvenile Court.

Roxie Cillessen, Protection & Safety Administrator for the Office of Juvenile Services, said it is her understanding that the State pays for the cost of care in the Attention Center from the point the youth is made a ward of Health and Human Services (HHS)/Office of Juvenile Services (OJS) and the County's responsibility for costs is limited to the point of detention through the court process.

Mark Martin, Protection & Safety Division Administrator for the Office of Juvenile Services (OJS), added that the Attention Center is assessing HHS the full billing price.

Juvenile Court Judge Toni Thorson said OJS is making an effort to provide the judges a definitive placement plan. She noted, however, that there are situations in which placement through OJS is not deemed appropriate.

Martin said the treatment certification process is a significant factor, noting approval is first sought from OPTIONS (Medicaid Managed Care Program), with the Child Welfare Fund serving as a secondary resource.

Cillessen said placement is limited to a specific number of contracted beds. Youth with behavioral problems are the most difficult to place.

Juvenile Court Judge Linda Porter said there are a number of cases in which dual filings of 3A (ungovernable) or 3B (neglect) with law violations would be appropriate.

In response to a question from Heier, Cillessen said the State is required to pay for evaluations. She said the evaluation process currently averages 22 days, which is less than the 30 days allowed by State Statute. Cillessen said the County is responsible for the cost of detention, if the judge orders the youth detained pending the results of the evaluation.

Heier voiced concern regarding the length of the evaluation process and suggested it would be more cost effective to pay for an additional psychiatrist or psychologist to perform evaluations.

Campbell said it has been suggested that the Attention Center facility at 2220 S 10th Street could be utilized as an evaluation center once the move to the Lancaster County Juvenile Detention Center is complete.

Hudkins said he is concerned that the youth rehabilitation and treatment centers in Kearney and Geneva have become "revolving doors" in terms of placement.

Martin said youth classified Level 3 receive short-term placement in these facilities. Those classified Level 4 are being held 4-5 months in Kearney and 7 months in Geneva. A limited number of youth with substance abuse problems are also bumped over to the Hastings treatment program. He noted that approval of the 90 day Wilderness Challenge Program will add 200 slots.

Martin distributed the following documents:

- *Nebraska Juvenile Offender Intervention and Aftercare System, A Balanced Approach* (Exhibit D)
- *Juvenile Services Master Plan, Appropriations Committee Briefing Presented by the Department of Health and Human Services, February 14, 2000* (Exhibit E)
- *Nebraska Wilderness Challenge Program Proposal, Information Submitted to Nebraska State Legislature, February 16, 2000* (Exhibit F)

Campbell said LB 652, which provides for a juvenile correctional facilities master plan, is a priority issue for Lancaster County. She said the County can not continue to sustain the costs of boarding contracts and must cap that fund in the coming fiscal year.

Judge Dawson said OJS does not have the funding or the County's placement resources to absorb those placements. He cautioned that youth may not receive necessary treatment, due to lack of placement slots, and may return to the system with high risk status.

Legal Contracts

Dennis Keefe, Public Defender, distributed copies of *Filings, Appointments and Costs of Private Attorneys in Juvenile Court, July 1 - December 31, 1997, 1998 and 1999* and *Observations and Recommendations* (Exhibit G).

Keefe recommended reducing the number of Legal Services of Southeast Nebraska (LSSN) cases to a maximum of 100 new cases and 240 open pending cases, per year, in the new contract, reducing the cost \$60,000. A new private attorney contract could then be added, at a cost of \$24,000. He suggested that private contractors also be asked to accept up to 15 law violation conflicts each in cases where the Public Defender and LSSN have conflicts or are unable to fill the dual role of guardian at litem and attorney.

The Board concurred with those recommendations and directed Keefe to work with the County Attorney's Office in the contract development.

7 PAVING OF ARBOR ROAD WEST OF HIGHWAY 77; SURPLUS FUNDS - Don Thomas, County Engineer

Paving of Arbor Road

Don Thomas, County Engineer, reported that landowners on Arbor Road have notified him that they would like to pave 1200 feet of that road west of Highway 77 and will assume full responsibility for costs.

The Board asked Thomas to work with the County Attorney's Office on the legal issues.

Surplus Funds

Campbell asked whether there will be surplus funds this year that can be used to move other road projects forward in the One and Six Year Road and Bridge Improvement Program.

Thomas said he feels comfortable with the progress of projects, noting the most difficult part is the preparatory work. He said he would prefer to retain the surplus funds until the end of the budget year.

Thomas also reported briefly on the funding situation for two bridges on 162nd Street. One of the bridges is not long enough to qualify for federal funding, but both bridges must be replaced because of their proximity to each other.

The Board asked Thomas to review a letter relating to the railroad viaduct in Firth, with a report back to the Board for drafting of a response.

8 BASEBALL PARTNERSHIP PROJECT UPDATE - Ann Harrell, Mayor's Office

Ann Harrell, Mayor's Office, presented computer generated models and a site plan of the proposed baseball stadium and a map of the area.

Harrell said the City Council held its last public hearing on the project on Tuesday, February 22nd. The University of Nebraska Board of Regents postponed its vote until April 1st, but has raised 6.1 million in private donor funds for the project, to date.

Hudkins noted there is a great deal of opposition to the proposal in the North Bottoms Neighborhood.

Harrell said numerous meetings have been held with residents in an effort to address their concerns. She said the redesign of the Charleston Street connection with Sun Valley Boulevard should help to eliminate traffic cutting through the neighborhood. Charleston Street will also be blocked before and after games. Harrell said residents remain concerned that the University will utilize the parking lot on a daily basis for students. The University has no immediate plans to do so, but has agreed to meet with residents if plans develop in the future. Use of the stadium for concerts is another area of concern, but the size of the stadium and the cost of protecting the stadium's field will probably limit its use.

Hudkins asked why a State Fair Park location was not considered.

Harrell said the University of Nebraska and NEBCO, Inc., partners in the project, were not interested in that location.

Harrell noted that Congressman Bereuter has been instrumental in seeking use of federal funds for construction of the pedestrian overpass from the Haymarket District. She said the cost of the connector is estimated at \$2.5 million, although design changes may reduce this cost. The Railroad Transportation Safety District (RTSD) has committed \$1.2 million towards this cost.

Heier questioned the floodplain location.

Harrell said Corp of Engineer requirements will be met and conservation easements have been sought for City owned land west of the creek to compensate for the fill.

9 ASSESSMENT CENTER COORDINATOR UPDATE - Kit Boesch, Human Services Administrator; Dennis Banks, Attention Center Director; Sheryl Schrepf, Families First & Foremost (F³) Grant Director; Denise Bulling, Special Grants Administrator

The following documents were distributed (Exhibit H):

- *Essential Job Functions of Administrative Officer - Assessment Center*
- *Job Description for Lancaster County Administrative Services Officer, Excluded Administrative Services Officer*
- *Families First & Foremost - Organizational Chart, 02/00*

Sheryl Schrepf, Families First & Foremost (F³) Grant Director, said the Personnel Department listed and advertised the position and received 14 applications. She said initial funding and siting of the position will be through F³, although the individual will be a County employee.

Eagan questioned inclusion of the following statement in the job description: *An employee in this class may act for the Department Head as required.* He suggested that additional clarification be sought from John Cripe, Classification and Pay Manager.

RETURNING TO JUVENILE COURT MID-YEAR BUDGET REVIEW

Heier asked Dennis Banks, Attention Center Director, how long it takes to complete a juvenile evaluation.

Banks said an evaluation typically takes 14-20 days, but it takes 30 days to receive the results.

10 ACTION ITEMS

- a. County Board Suggestions for Members of the Stevens Creek Citizens Committee

Campbell requested that this item be dropped from the agenda, noting she plans to meet with Mayor Wesely; Kathleen Sellman, Planning Director; and Coleen Seng, City Council, on March 3rd to discuss dedication of a planner to the Stevens Creek area.

The Board concurred with the request.

11 CONSENT ITEMS

- a. Vacation Request:
 1. Kerry Eagan, Chief Administrative Officer, for Friday, March 10 and Monday, March 13, 2000;
 2. Kit Boesch, Human Services Administrator, for Friday, February 25 and Monday, February 28, 2000
- b. Request from Kit Boesch, Human Services Administrator, to Attend the National Juvenile Justice Conference in Tampa, Florida on March 20-22, 2000

MOTION: Steinman moved and Hudkins seconded approval of the Consent Items. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

- a. Lease for Election Commissioner's "F" Street Facility

Dave Shively, Election Commissioner, reported that the owner of the building on "F" Street that is used to store election supplies has requested the County to vacate the premises by June 1st, as the building will be sold. He suggested the move be timed to coincide with return of election supplies following the May primary, to eliminate duplication of effort.

Hudkins said there is space available in the Old Federal Building that could be utilized, at least on a temporary basis.

The Board asked Shively to work with Don Killeen, County Property Manager, in securing space.

b. Lancaster County Consolidation Committee Report

Eagan distributed copies of *Final Report and Recommendations of the Lancaster County Consolidation Committee* (Exhibit B).

Campbell suggested members of the Board review the document and decide at a future County Board Staff Meeting what issues to bring forward in discussions with the City.

c. Nomination for Operation ABLE 12th Annual Mature Workers Award

Eagan said Wes Hornung, County Engineering Department, has been suggested for nomination.

The Board concurred with that suggestion.

d. Professional Partners Contract with Region V

The Board reviewed the following documents (Exhibit I):

- A letter from Jill Rubottom, Program Administrator for the Region V Mental Health Alcoholism & Drug Abuse Program, dated February 18, 2000, expressing concern regarding the ongoing contract negotiations between Region V and Lancaster County for the provision of professional partner services
- A letter from David Buntain, Attorney for the Region V Mental Health Program, expressing concern about the lack of a renewal provision in the current draft of the Grant Contract and suggesting inclusion of a sixty (60) day renewal and termination clause

Dave Johnson, Deputy County Attorney, presented a draft of the grant contract and alternatives for the renewal notice proposed by Region V (Exhibit J).

MOTION: Steinman moved and Heier seconded to include the sixty (60) day renewal and termination clause proposed by David Buntain, Attorney for the Region V Mental Health Program, in the grant contract. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

Sheryl Schrepf, Families First & Foremost (F³) Grant Director, noted that the date of evaluation has been changed from February 1 to April 1, 2000. She said the contract will be amended at that time from a fiscal standpoint.

The Board asked Johnson to notify Buntain of the Board's action and to schedule the grant contract on the County Board of Commissioners agenda.

13 EMERGENCY ITEMS AND OTHER BUSINESS

Kit Boesch, Human Services Administrator, presented copies of letters she plans to send to the Nebraska Legislature's Appropriation Committee in support of LB 1264, which requires competitive bidding under the Nebraska Comprehensive Community Mental Health Services Act, and LB 1113, which increases rates paid by the State for behavioral health services (Exhibit K).

MOTION: Steinman moved and Workman seconded to authorize Kit Boesch, Human Services Administrator, to submit a letter to the Nebraska Legislature's Appropriation Committee supporting LB 1113 with a statement indicating that the County Board also supports the legislation. Steinman, Workman, Heier, Hudkins and Campbell voted aye. Motion carried.

The Board declined support of LB 1264 at this time and requested that Gordon Kissel, Legislative Consultant, provide a briefing on the bill at the next Staff Meeting.

14 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk